

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

Megan Way,

Plaintiff,

v.

Case No. 3:22-cv-00578-YY
SETTLEMENT CONFERENCE
ORDER

Whitaker/Ellis Builders, Inc.,

Defendant.

BECKERMAN, Magistrate Judge.

Upon request of the parties, the above-captioned matter is set for a judicially supervised settlement conference before Judge Stacie F. Beckerman **at 9:00 a.m. on Friday, June 24, 2022** by videoconference. Counsel, Plaintiff, Defendant and other parties who may be of assistance in settling the case are welcome to participate. The Court will distribute the videoconference connection information no later than June 23, 2022.

The parties are required to submit a confidential settlement letter to Judge Beckerman before the conference. This settlement letter should not exceed five pages. PLEASE SEE ATTACHED INSTRUCTIONS REGARDING SETTLEMENT DOCUMENTS.

Any party who, without prior court approval, fails to have all persons with settlement authority present, or any party who fails to participate in the settlement conference in good faith, may be subject to sanctions. Such sanctions may include costs and attorney fees of the other parties attending the settlement conference.

Dated: June 3, 2022.



STACIE F. BECKERMAN
United States Magistrate Judge

PREPARATION FOR SETTLEMENT CONFERENCE

- A. In preparation for the scheduled settlement conference, the parties are required to exchange **at least** two rounds of settlement offers **prior to** the settlement letter deadline. If, after exchanging two rounds of settlement offers, the parties determine that the settlement conference will not be a good use of resources, the parties should contact the Court to cancel the settlement conference.
- B. Each party's confidential settlement letter (not to exceed five pages), must address these points:
1. A brief summary of the key claims, counterclaims (if any), and cross-claims (if any).
 2. The three best and three worst facts for your case.
 3. Any legal issues which, when ruled upon, could substantially change your client's position in the case, either favorably or unfavorably.
 4. An explanation of any factors making settlement difficult for the parties.
 5. Any common goals that might facilitate settlement.
 6. **The status of settlement negotiations, including the last settlement proposal made by each party.** (If the parties have not completed two rounds of settlement offers prior to submitting settlement letters, the settlement conference will be rescheduled.)
 7. The fees and costs you have incurred to date, and an estimate of the anticipated fees and costs you will incur to prepare, try, and participate in an appeal of the case.

You may attach key exhibits, reasonable in number and length, such as documents constituting the alleged contract, letters or e-mails that contain an alleged admission, and similar documents, if the exhibits are critical to understanding the case or the parties' respective positions. You need not attach the pleadings.

In addition, please e-mail to Judge Beckerman in advance of the conference an electronic copy of a draft settlement agreement.

All communications made in connection with the settlement conference are confidential. **Please be candid in your settlement letter.**

These documents must be submitted to chambers by **5:00 p.m. on June 17, 2022** via e-mail to:
SBpropdoc@ord.uscourts.gov.

Please call Courtroom Deputy Giselle Williams, at 503-326-8022, if you have any questions.

Thank you.

Hon. Stacie F. Beckerman
U.S. Magistrate Judge
927 United States Courthouse
1000 S.W. Third Avenue
Portland, OR 97204